

AMENDMENTS TO THE DRAWINGS

A replacement drawing sheet with FIGURE 3 is submitted herewith.

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REMARKS

A communication mailed on April 15, 2008, indicated that the submission filed on November 29, 2007, was not fully responsive to the prior Office Action mailed on May 29, 2007. The submission canceled Claims 1-29 and added new Claims 30-47. Applicant assumes that Claims 30-47 were not entered; and therefore, Claims 1-29 remain pending.

Claims 1, 5, 7, 8, 28, and 30 have been amended to more particularly point out and distinctly claim aspects of the present application. The claims have also been amended to make the claim language more consistent with the specification. Claims 2-4, 6, 9-27, and 29 have been canceled. New Claims 30-41 have been added and are fully supported by the present application. More specifically, Claims 30-33 and 35-38 are supported in at least FIGURES 2-4 and page 7, lines 16-26, of the originally filed application. Claim 34 is supported in at least page 5, lines 26-32, of the originally filed application. Claims 39-41 are supported in at least FIGURES 1, 2, and 4 of the originally filed application.

Applicant thanks the Examiner for a thorough and thoughtful review of the present application. Applicant respectfully requests reconsideration of the present application and allowance of the pending claims.

Specification

The specification was objected to because of certain recitations made in Claims 2, 3, 11, 12, 18, 19, and 27. Applicant respectfully submits that the objection is moot in view of the claim cancellations made above.

Claim Rejections - 35 U.S.C. § 112

Claims 1-24 and 26-29 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicant respectfully submits that the claims have either been amended or canceled

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to remove any allegedly indefinite language. Accordingly, applicant respectfully requests withdrawal of the rejection.

Claim Rejections - 35 U.S.C. § 102 and 35 U.S.C. § 103

The Office Action mailed on May 29, 2007, rejected Claims 1-24 and 26-29 in view of U.S. Patent No. 5,582,579, issued to Chism et al. (hereinafter "Chism"); U.S. Patent No. 3,084,459, issued to Colman (hereinafter "Colman"); U.S. Patent No. 6,981,294, issued to Edwards (hereinafter "Edwards"); U.S. Patent No. 6,984,195, issued to Phillips (hereinafter "Phillips"); U.S. Patent No. 1,748,607, issued to Jarrett (hereinafter "Jarrett"); U.S. Patent No. 1,104,357, issued to Hassel (hereinafter "Hassel"); and U.S. Patent No. 6,044,497, issued to Richardson (hereinafter "Richardson").

Claim 1 has been amended to disclose a foot cover having "a flexible cover for covering a foot, *the flexible cover having a foot portion sized and configured to underlie a user's foot and a tongue portion extending forwardly from the foot portion and sized and configured to wrap over the front of a user's foot,*" wherein the flexible cover includes "*an inner layer* positioned to engage the user's foot, the inner layer having a relatively high coefficient of friction" and "*an outer layer* having a relatively low coefficient of friction *such that during use the outer layer provides a low friction outer surface about the bottom, front, and back of the user's foot.*"

The size and configuration of the foot cover, as shown in FIGURE 1, provide a low friction surface on the bottom, front, and back of the user's foot. As such, the user's foot does not catch on the floor when the user is being transported, even if, for instance, the user's leg is folded underneath his or her wheelchair. Moreover, the relatively high friction inner layer helps keep the user's foot stationary against the foot cover when the user is being transported.

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Applicant respectfully submits that none of the cited references discloses a foot cover as recited in amended Claim 1. Rather, Chism discloses an orthopedic device 10 having a flexible wraparound style boot 12 having an open toe portion 16 for easy insertion. The orthopedic device 10 further includes a glide surface 29 provided on the heel of the boot 12 to facilitate repeated sliding motion of the user's heel along a surface. The orthopedic device 10 does not provide a low friction surface along the bottom, top, and front of the user's foot. Similarly, Edwards discloses a carpet slide 10 having a first member 11 that is positioned underneath the bottom of a user's foot, and Phillips discloses a piece 13 of low friction, durable stick-on sheeting. Neither Edwards nor Phillips discloses a foot cover that provides a low friction surface along the bottom, top, and front of the user's foot.

Richardson discloses a half sock that keeps a user's toes warm. Richardson does not disclose a foot cover having an inner layer that has a relatively high coefficient of friction and an outer layer having a relatively low coefficient of friction, wherein the outer layer provides a low friction surface along the bottom, top, and front of the user's foot.

Colman discloses a lint-free protective shoe covering 10 having a sole portion 11 and an upper portion 12. The shoe covering 10 is made from a suitable material having non-slippage characteristics such that walking on hard surfaces with the shoe coverings is safe. Colman does not teach a foot cover having inner and outer layers, wherein the outer layer provides a low friction surface around the bottom, top, and front of the user's foot.

Jarrett and Hassel both disclose sheets of material that are adapted to be folded around the feet to keep the feet warm. More specifically, Jarrett discloses a sheet of heat insulating material, such as felt, having a forward tapered portion and a rear portion that is oppositely notched. Hassel discloses a slipper or foot covering comprised of a single piece of material 5, preferably made of lamb or sheep skin so as to provide a warm, flexible, sanitary slipper.

Neither discloses a foot cover having first and second layers, wherein the inner layer has a relatively high coefficient of friction and the outer layer has a relatively low coefficient of friction to provide a low friction surface along the bottom, top, and front of the user's foot.

Based on the foregoing, applicant respectfully submits that none of the cited references discloses a foot cover having an inner layer that has a relatively high coefficient of friction and an outer layer having a relatively low coefficient of friction, wherein the outer layer provides a low friction surface along the bottom, top, and front of the user's foot. Thus, for at least this reason, applicant respectfully submits that Claim 1 is in condition for allowance.

New Claims 30-41

Applicant respectfully submits that none of the cited references discloses what is recited in new Claims 30-41. Regarding Claims 30-33 and 35-38, none of the cited references discloses "a tether assembly disposed within the flexible cover that defines an area of reduced width of the flexible cover." The tether assembly provides an area of reduced width in the flexible cover such that the flexible cover is suitably shaped to fit around a foot of a user or another suitable appendage. In addition, the tether assembly defines a hinge in the flexible cover, thereby providing a preferential fold line to aid in folding up the rear portion of the flexible cover up behind the ankle.

Applicant respectfully submits that none of the cited references disclose a tether assembly as recited above. Rather, Chism discloses an orthopedic device 10 having a flexible wraparound style boot 12, Edwards discloses a carpet slide having a first member 11 preferably formed from a flexible sheet of plastic material, Phillips discloses a piece of low friction durable stick-on sheeting, Colman discloses a shoe covering having a sole portion 11 and an upper portion 12, and Richardson discloses a half sock. Jarrett and Hassel disclose sheets of material that are

adapted to be folded around the feet. None of the above references discloses a tether assembly that defines an area of reduced width in the body of the device.

Regarding Claim 34, none of the cited references discloses a foot cover comprising a material having a fineness rating between a range of about 100 to 200 denier. Colman discloses a shoe cover comprising a material having a fineness rating between about 200 and 300 denier, and preferably 250 denier. However, Colman requires that the material have sufficient non-slippage characteristics. As such, Colman teaches away from using a material having a fineness rating between about 100 and 200 denier to provide an outer layer having a relatively low coefficient of friction. Moreover, using a material having a fineness rating between about 100 and 200 denier would be contrary to the intended purpose of the Colman shoe cover.

Regarding Claims 39-41, none of the cited references discloses an appendage cover having a flexible cover "sized and configured to wrap *around* an appendage" with inner and outer layers having relatively high and low coefficients of friction, respectively, and "first and second straps arranged on opposite lateral edges of the flexible cover, the first and second straps configured to be *selectively secured* to one another in one of a *first position*, wherein the inner layer is positioned against the appendage, and a *second position*, wherein the outer layer is positioned against the appendage."

Rather, Chism discloses an orthopedic device 10 having a flexible wraparound-style boot 12 having one or more adjustable closures 30 to connect opposite edges of the boot 12. The boot 12 is not configured to be secured around an appendage by the adjustable closures 30 in one of first and second positions.

Edwards discloses a carpet slide having a first member 11, preferably formed from a flexible sheet of plastic material, and strap segments 16 and 17 for retaining the slide on the

wearer's foot. The slide is not sized and configured to be wrapped around an appendage such that the strap segments 16 and 17 can be secured together in one of first and second positions.

The remaining references, Phillips, Colman, Richardson, Jarrett, and Hassel, disclose devices that do not include first and second straps. Thus, Phillips, Colman, Richardson, Jarrett, and Hassel do not disclose a flexible cover sized and configured to be wrapped around an appendage and having straps selectively securable to one another in one of first and second positions.

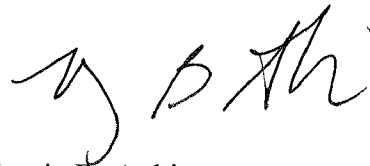
Based on the foregoing, applicant respectfully submits that new Claims 30-41 are novel and nonobvious over the cited references.

Conclusion

Applicant respectfully submits that Claim 1 is in condition for allowance. Accordingly, applicant submits that dependent Claims 5, 7, 8, and 28 are likewise in condition for allowance. Applicant further submits that new Claims 30-41 are fully supported by the present disclosure and novel and nonobvious in view of the cited references. The Examiner is encouraged to telephone the undersigned with any remaining questions.

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